

**REPORT OF THE AUDIT OF THE
BOYD COUNTY
SHERIFF**

**For The Year Ended
December 31, 2004**



**CRIT LUALLEN
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EXECUTIVE SUMMARY
AUDIT EXAMINATION OF THE
BOYD COUNTY SHERIFF

For The Year Ended
December 31, 2004

The Auditor of Public Accounts has completed the Boyd County Sheriff's audit for the year ended December 31, 2004. Based upon the audit work performed, the financial statement presents fairly, in all material respects, the revenues, expenditures, and excess fees in conformity with the regulatory basis of accounting.

Financial Condition:

Excess fees decreased by \$4,268 from the prior year, resulting in excess fees of \$346 as of December 31, 2004. Revenues increased by \$127,088 from the prior year and expenditures increased by \$131,356.

Report Comment:

- The Sheriff Should Invest Moneys In Interest Bearing Bank Accounts

Deposits:

The Sheriff's deposits were insured and collateralized by bank securities or bonds.

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CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Bill Scott, Boyd County Judge/Executive
Honorable Terry R. Keelin, Boyd County Sheriff
Members of the Boyd County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of revenues, expenditures, and excess fees - regulatory basis of the County Sheriff of Boyd County, Kentucky, for the year ended December 31, 2004. This financial statement is the responsibility of the County Sheriff. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Sheriff's office prepares the financial statement on a regulatory basis of accounting that demonstrates compliance with the laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the revenues, expenditures, and excess fees of the County Sheriff for the year ended December 31, 2004, in conformity with the regulatory basis of accounting as described in Note 1.

In accordance with Government Auditing Standards, we have also issued our report dated November 18, 2005, on our consideration of the County Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.



The Honorable Bill Scott, Boyd County Judge/Executive
Honorable Terry R. Keelin, Boyd County Sheriff
Members of the Boyd County Fiscal Court

Based on the results of our audit, we have presented the accompanying comment and recommendation, included herein, which discusses the following report comment:

- The Sheriff Should Invest Moneys In Interest-Bearing Bank Accounts

This report is intended solely for the information and use of the County Sheriff and Fiscal Court of Boyd County, Kentucky, and the Commonwealth of Kentucky and is not intended to be and should not be used by anyone other than these interested parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", written in a cursive style.

Crit Luallen
Auditor of Public Accounts

Audit fieldwork completed -
November 18, 2005

BOYD COUNTY
TERRY R. KEELIN, COUNTY SHERIFF
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS

For The Year Ended December 31, 2004

Revenues

State Grants		\$	2,552
State - Kentucky Law Enforcement Foundation Program Fund			55,864
State Fees For Services:			
Finance and Administration Cabinet			123,226
Circuit Court Clerk:			
Sheriff Security Service	\$	52,373	
Fines and Fees Collected		<u>14,954</u>	67,327
Fiscal Court			158,533
County Clerk - Delinquent Taxes			6,505
Commission On Taxes Collected			634,539
Fees Collected For Services:			
Auto Inspections	\$	33,105	
Accident and Police Reports		5,871	
Serving Papers		49,292	
Carrying Concealed Deadly Weapon Permits		<u>13,035</u>	101,303
Other:			
Dog Tags			5
HB-413			10,089
Tax Penalty Fees			84,209
Petty Cash			500
Borrowed Money:			
Bank Note			<u>400,000</u>
Total Revenues		\$	<u>1,644,652</u>

The accompanying notes are an integral part of this financial statement.

BOYD COUNTY
TERRY R. KEELIN, COUNTY SHERIFF
STATEMENT OF REVENUES, EXPENDITURES, AND EXCESS FEES - REGULATORY BASIS
For The Year Ended December 31, 2004
(Continued)

Expenditures

Operating Expenditures:

Personnel Services-		
Deputies' Salaries	\$ 656,002	
Employee Benefits-		
Employer's Share Social Security	49,520	
Employer Paid Health Insurance	199,983	
Deputies' Training	2,016	
Contracted Services-		
Advertising	1,110	
Vehicle Maintenance and Repairs	28,909	
Contract Labor	76,185	
Materials and Supplies-		
Office Materials and Supplies	4,072	
Uniforms	7,059	
Auto Expense-		
Gasoline	43,130	
Utilities	7,103	
Other Charges-		
Computer Service	12,310	
Dues	1,522	
Postage	10,780	
Travel/Fugitives	24,477	
Bond	653	
Audit	17,500	
HB 577	19,900	
Carrying Concealed Deadly Weapons Permits	6,860	\$ 1,169,091

Debt Service:

Notes	\$ 400,000	
Leases	2,529	402,529

Total Expenditures		\$ 1,571,620
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Net Revenues	\$ 73,032
Less: Statutory Maximum	72,686

Excess Fees Due County for 2004	\$ 346
Payments to Fiscal Court - November 17, 2005	346

Balance Due Fiscal Court at Completion of Audit	\$ 0
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The accompanying notes are an integral part of this financial statement.

BOYD COUNTY
TERRY R. KEELIN, COUNTY SHERIFF
NOTES TO FINANCIAL STATEMENT

December 31, 2004

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of revenues over expenditures to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

KRS 64.820 directs the fiscal court to collect any amount, including excess fees, due from the County Sheriff as determined by the audit. KRS 134.310 requires the County Sheriff to settle excess fees with the fiscal court at the time he files his final settlement with the fiscal court.

The financial statement has been prepared on a regulatory basis of accounting, which demonstrates compliance with the laws of Kentucky and is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this regulatory basis of accounting revenues and expenditures are generally recognized when cash is received or disbursed with the exception of accrual of the following items (not all-inclusive) at December 31 that may be included in the excess fees calculation:

- Interest receivable
- Collection on accounts due from others for 2004 services
- Reimbursements for 2004 activities
- Tax commissions due from December tax collections
- Payments due other governmental entities for payroll
- Payments due vendors for goods or services provided in 2004

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

BOYD COUNTY
TERRY R. KEELIN, COUNTY SHERIFF
NOTES TO FINANCIAL STATEMENT
December 31, 2004
(Continued)

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a cost-sharing, multiple-employer defined benefit pension plan that covers all eligible full-time employees and provides for retirement, disability, and death benefits to plan members.

Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 7.34 percent for the first six months and 8.48 percent for the last six months of the year.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report which is a matter of public record. This report may be obtained by writing the Kentucky Retirement Systems, 1260 Louisville Road, Frankfort, Kentucky 40601-6124, or by telephone at (502) 564-4646.

Note 3. Deposits

The Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 2004, the Sheriff's deposits were fully insured or collateralized at a 100% level with collateral of pledged securities held by the Sheriff's agent in the Sheriff's name.

Note 4. Leases

A. Copier

The office of the County Sheriff was committed to a lease agreement with Canon for a copier. The agreement requires a monthly payment of \$273 for 48 months to be completed on March 31, 2005. The total remaining balance of the agreement was \$ 1,635 as of December 31, 2004.

BOYD COUNTY
TERRY R. KEELIN, COUNTY SHERIFF
NOTES TO FINANCIAL STATEMENT
December 31, 2004
(Continued)

Note 4. Leases (Continued)

B. Computer Equipment

The office of the County Sheriff was committed to a lease agreement with Leasing Company of America for computer equipment. The agreement requires a monthly payment of \$102 for 36 months to be completed on April 14, 2006. The total remaining balance of the agreement was \$1,674 as of December 31, 2004.

Note 5. Subsequent Events

As of December 31, 2004, there was a lawsuit against the Sheriff concerning tax commissions for the Fire Taxing Districts. The lawsuit was settled through Court Order in February 2005. The ruling was in favor of the taxing districts, limiting the Sheriff's commission to 1%. The lawsuit did not require the Sheriff to refund any commission from prior years.

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COMMENT AND RECOMMENDATION

BOYD COUNTY
TERRY R. KEELIN, COUNTY SHERIFF
COMMENT AND RECOMMENDATION

For The Year Ended December 31, 2004

STATE LAWS AND REGULATIONS:

The Sheriff Should Invest Moneys In Interest Bearing Accounts

The Sheriff deposited funds into a non-interest bearing account. KRS 66.480 states that the Sheriff may, and at the direction of the fiscal court shall, invest and reinvest money subject to their control and jurisdiction. Prudent financial management dictates that the Sheriff take advantage of earning potential by depositing funds into interest bearing bank accounts. We recommend the Sheriff invest all funds into interest bearing bank accounts.

Sheriff's Response:

None.

INTERNAL CONTROL - REPORTABLE CONDITIONS:

None.

PRIOR YEAR:

Corrected:

- Incorrect Commission Rate For Fire Taxing Districts
- House Bill 577 Fees Were Not Paid To Fiscal Court

Uncorrected:

- The Sheriff Should Invest Moneys In Interest Bearing Bank Accounts

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REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Bill Scott, Boyd County Judge/Executive
Honorable Terry R. Keelin, Boyd County Sheriff
Members of the Boyd County Fiscal Court

Report On Internal Control Over Financial Reporting And
On Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of revenues, expenditures, and excess fees - regulatory basis of the Boyd County Sheriff for the year ended December 31, 2004, and have issued our report thereon dated November 18, 2005. The County Sheriff's financial statement is prepared in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Boyd County Sheriff's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide an opinion on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Boyd County Sheriff's financial statement for the year ended December 31, 2004, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance or other matters that is required to be reported under Government Auditing Standards and which is described in the accompanying comment and recommendation.

- The Sheriff Should Invest Moneys In Interest Bearing Bank Accounts



Report On Internal Control Over Financial Reporting And
On Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

This report is intended solely for the information and use of management and the Kentucky Governor's Office for Local Development and is not intended to be and should not be used by anyone other than the specified parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", with a long horizontal flourish extending to the right.

Crit Luallen
Auditor of Public Accounts

Audit fieldwork completed -
November 18, 2005

